IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9919 of 2004

Between:
1 K.Ramesh, S/o Venkateswara Rao,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.
2 S.Rayappa, S/o Agastain,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.
3 A.Samba Siva Rao, S/o Nagulu,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.
4 M.S.N.Muneendra Rao, S/o Apparao,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.
5 A.Sathish Chandra, S/o Suresh Babu,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.
6 R.Lazar, S/o Andaiah,
R/o d.No.59-6-11/4, P&T Colony, 4th Lane, Vijayawada, Krishna District.

..... PETITIONERS

AND

1 The APSRTC rep.by its Vice Chairman & Managing Director, Musheerabad, Hyderabad.
2 The APSRTC rep.by its Regional Manager, Krishna Region, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not considering the cases of the petitioners for absorption in any

suitable posts in A.P.S.R.T.C. is arbitrary, illegal, violative of Article 14,16 and 21 of the Constitution of India and contrary to the judgments of this Hon'ble Court consequently direct the respondent to appoint the petitioners in the APSRTC in any suitable posts forthwith

For the Petitioner:MR.S.M.SUBHAN,Advocate

For the Respondents.: MR.VNKATESWARLU POSANI, SC for APSRTC

The Court At the admission stage made the Following :

W.P.No.9919 of 2004

ORDER:

This writ petition is filed by the petitioners stating that they worked with the private operator in the bus bearing No.AAG-642, which was plying on the route - Dwaraka Nagar (Mangalagiri) to Pushkaraghat (Vijayawada) and the said route was nationalized with effect from 31-01-2000. Because of nationalization of the route, the petitioners lost their employment. There upon the petitioners made a representation to the respondents to absorb them in the APSRTC as displaced employees, but the same has not been considered. Therefore, the present writ petition is filed.

The factual matrix of the case is not in dispute. It is also not in dispute that the petitioners made a representation to the first respondent on 2-10-2002 to consider them for absorption into the Corporation in any suitable post. It is for the respondents to consider the case of the petitioners as per the existing Scheme, Rule or Regulation. The petitioners who, admittedly, worked in the private bus which used to ply in the route - Dwaraka Nagar (Mangalagiri) to Pushkaraghat (Vijayawada) lost their employment as the same was admittedly, nationalized with effect from 31-01-2000. If the Rules or the Schemes permit the respondent/Corporation, the same has to be

considered by the respondents.

Having regard to the facts and circumstances, a direction is given to the 2nd respondent to consider the representation of the petitioners dated 2-10-2002 for absorption, if it is pending with the respondent. If not, the petitioners shall submit a representation within a period of one week from today and on such representation being submitted, the same may be considered as per the Rules and Regulations of the Corporation, within a period of three months, from the date of receipt of a copy of this order.

Accordingly the writ petition is disposed of. In the circumstances there shall be no order as to costs.

18-06-2004

BSS/BVS

Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To

1.The A.P.S.R.T.C. rep. By its Vice Chairman & Managing Director, Musheerabad, Hyderabad

2.The A.P.S.R.T.C., rep. By its Regional Manager, Krishna Region, VIJAYAWADA

3.Two C.D.copies